

REGULAR MEETING
WEDNESDAY 7:00 P.M. JANUARY 6, 2010

This Regular Meeting of Council was called to order on the above-stated date at the above-stated time after the Pledge of Allegiance and a Moment of Silence by President of Council Regis McLaughlin with the following Members of Council present:

**RC-1 PRESENT: RICHARD DELLAPENNA, MICHAEL
 CHEREPKO, REGIS McLAUGHLIN,
 DARRYL SEGINA, ALFRED TEDESCO,
 LORETTA DIGGS**

ABSENT: FAWN WALKER

The Reverend Boniface Iglesias, Chaplain from Auberle led the prayer.

Ms. Williams said Ms. Walker had a family emergency and will be absent this evening.

Also present were Mayor James Brewster, City Administrator Dennis Pittman, City Solicitor J. Jason Elash, and members of the Administration.

APPROVAL OF MINUTES:

**MOTION: Mr. Dellapenna moved, seconded by Ms. Diggs,
 "To approve the minutes for the Special
 Meeting of November 18, 2009, the Public
 Hearing of December 1, 2009, and the Regular
 Meeting of December 2, 2009."**

**RC-2 YEAS: DELLAPENNA, CHEREPKO, McLAUGHLIN,
 SEGINA, TEDESCO, DIGGS..... 6**

NAYS: NONE..... 0

COMMUNICATIONS:

- Received a letter from Michael Simmons, District Program Manager, Pennsylvania Department of Transportation, RE: Group Project No. 111-10-7135-1, Allegheny County, Fifth Avenue.
- Received a letter from Cheryl Moon-Sirianni, Assistant District Executive, Design Division, Pennsylvania Department of Transportation, RE: Asset Management Program.
- Received email from Christine Darosh to former Police Chief Pero, RE: Aggressive Driving 2010 Wave 1. This is to advise that Highway Safety Project Number 2007-090, "Aggressive Driving Enforcement and Education" Project has been approved.
- Received a flyer from the Census Bureau and they are looking for Census Enumerators. Ms. Williams said if anyone is interested, she has the numbers to call for an appointment.
- Received an email from Michal Dillon, RE: Meeting at the Dravosburg Municipal Building on Tuesday, January 19, from 7:00 to 8:30 p.m. regarding the Mansfield Bridge Project.
- Received a letter from Chief Alfred Tedesco, RE: Retirement.
- Received two letters from Mark Depretis, Manager, Governmental Affairs of Comcast, RE: Channel Changes and Comcast/GE Announcement.
- Received a letter from M. Richard Dunlap, Executive Director of the Allegheny League of Municipalities asking who the representative will be. Ms. Williams said the Mayor is the current representative and Mr. McLaughlin is the alternate.
- Received a questionnaire from Twin Rivers Council of Governments. Ms. Williams said Mike Cherepko is the delegate and asked who the alternate was.

- MOTION:** Mr. Segina moved, seconded by Mr. Dellapenna, "To appoint Mr. Tedesco as the alternate representative to the Twin Rivers Council of Governments."

MAYOR'S REPORT:

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He said they are purchasing their salt from the TWCOG because they beat the state price and will stay with them for three years. He said the price was \$52.00 a ton and the price can go down if fuel prices go down.

- Mr. Segina asked if Nick was getting delivery on that 3,000 tons.
- Mr. Shermenti said yes at his request.
- Mr. Segina said there has been a lot of talk about the municipalities not getting their salt.
- Mr. Shermenti said he ordered 450 tons yesterday and 250 tons of that came in today. He said they are on the ball. He said he doesn't foresee any problem here. He said they have hit their overtime limit. He said during the past three weeks they logged over 700 hours of overtime for seven men. He said that just can't be helped. He said he knows the Mayor and Council want them to keep the people safe and they are doing the best they can with the equipment and manpower they have. He said on a good note, the garbage collection contractor saved the City \$74,000 in 2009. He said if they would have stayed with the other vendor at the prices they bid, they would be \$208,000 over their savings which is almost \$300,000 more than what they cost to have the garbage to be hauled out of the City. He said they saved \$74,000.
- Mr. Malinchak asked if the tonnage is flat or has it been dropping off.
- Mr. Shermenti said actually the tonnage has gone up. He said he also looked on the recycling side because when the tonnage goes up on the garbage side, it is usually because people are not recycling and they are throwing away the recyclables. He said that has not happened though because the recyclables have come up

too on the tonnage. He said the garbage tonnage has gone up. He said they did get a few new customers. He said some people have purchased homes that were vacant on Cronemeyer. He said they had a pickup in population as well.

- Mr. Segina said they still have a problem with recycling. He said he put his recycling out last week, when he went out the next morning before the recycling truck came all the aluminum cans were gone from it. He said there is someone poaching on the cans yet. He said they probably could be making much more, but they know the routes and have been poaching.
- Mr. Shermenti said Darryl is actually right. He said the savings is not what they are making. He said the greater part of this year, they quite paying for the recycling. He said Tube City wanted to charge them for taking the cans because the scrap prices dropped so low. He said they are saving on the \$74.00 a ton not going to the garbage dump.
- Mr. Segina said why don't they hire the guy who is poaching all the cans and have him pick up the recyclables and they would have no payroll. He said he is just kidding.
- Mr. Shermenti said that was a positive note on the garbage. He said they could have been \$300,000 further in debt on the garbage. He said they actually saved \$74,000. He said the guardrail is in on Marshall Drive, most of it. He said they have a little bit more to install. He said the main road is complete and all the storm drains are in. He said he has a meeting Friday with PennDOT and the traffic light company for the installation of the light. He said the poles finally came in and they are going to go ahead with the HOP Permit. He said the people are coming in on Friday and they should

have the light in and up and running by the end of February, weather permitting.

- Mr. McLaughlin said that means that Marshall Drive will open up.
- Mr. Shermenti said yes. He said they also spent a little bit of money. He said he had to buy two new salt spreaders that cost \$7,000 for the two. He said they bought that on the State piggyback program. He said they just got 24 tons of cold patch in so when they do get rid of the snow, they can start cold patching the potholes that are popping up everywhere. He said the number is 675-5020, extension 631. He said that is his pothole hotline. He said that is all they have. He said they have a problem, every time they ask Mr. Tedesco to vote, his father wants to say yes, but he doesn't know why.
- Mayor Brewster said he never had that, Al always says no to him. He said since they brought his name up, Chief Tedesco will give the next report.
- Police Chief Tedesco said Good Evening. He said on behalf of the McKeesport Police Department, he would like to wish everyone a Happy New Year. He said the calls for service for the month ending December 2009 were 1,899. He said the total calls for service for the year 2009 were 26,065. He said there were 25,526 calls for service in 2008. He said there has been an increase in the calls for service over the last year. He said the total number of traffic citations issued in December 2009 was 91. He said the year to date total for traffic citations was 2,287. He said they issued 1,962 traffic citations in 2008. He said there was a fifteen percent increase in the number of traffic citations issued. He said the total number of arrests ending December 2009 was 259 arrests. He said the 2009 total was 4,232 arrests. He said there were 3,821 arrests in 2008. He said there was an 11 percent increase in the number of arrests. He said there were

eight homicides in 2009. He said five of those eight cases have been solved, which leaves three cases open for 2009. He said there were four homicides in 2008. He said during the month of December an additional patrol unit was implemented. He said the officers assigned to this detail worked from 7:00 p.m. to 3:00 a.m. He said their primary purpose was to make business checks throughout the City during their shift, especially during the holiday season. He said both officers are behind him right now. He said the program turned out to be successful. He said during the course of their shift, the officers were told that they had to make check on every business in McKeesport during their shift. He said this created an opportunity for the Police Department to show the business leaders that the City does care for them and strangely enough, he did not receive any phone calls during the holiday season, so it was relatively successful. He said they reduced the number of crimes. He said they didn't have the robberies that they did before. He said there were some but as far as the businesses were concerned, they did not have any. He said a lot can be said about these two young police officers because being assigned from 7:00 at night to 3:00 in the morning is not the best shift in the world. He said not only were they assigned to do their business checks but they were also assigned to do additional patrols in areas where there are problems. He said a case in point is the Grandview area where they had numerous burglaries. He said these officers were assigned to that area to try to reduce the number of burglaries that were occurring. He said they are still on this assignment because it has been successful. He said the Police were also involved with the Department of Transportation's Smooth Operator Program in December. He said the Smooth Operator Program focuses on aggressive driving. He said this program took in the areas around Route 48. He said the Department was accepted for the additional grant through 2010 for that program because the program has been very successful. He said he would like to thank . . . the Mayor attended a luncheon on December 15 that he was unable to make because he was on vacation,

which was sponsored by the Weed and Seed Task Force. He said the luncheon was an appreciation day for McKeesport Police Officers. He said Senator Logan presented a Certificate of Recognition to all police officers during the luncheon. He said the Lions Club and WomansPlace also had Certificates for the officers for outstanding service in domestic violence. He said he would like to thank those organizations and Senator Logan for their time in honoring the Police Department. He said that is all he has if there are no questions.

- Mayor Brewster said he wants to mention too that the two officers here tonight are part of the last group that they swore in. He said they were McKeesport residents and consistent with what they try to do with the new hires in the Police Department. He said Al made a pretty good report. He said if he keeps that up, he will keep him around and not let him retire. He said they like those comparisons. He said Ray loves those comparisons. He said Al brought them some good statistics and he would like to say because someone might conclude that there was more crime. He said some of them may say they did a better job. He said they can speculate whatever is in their head but one of the things that Al did mention was that the officers now log out, get out of their car, and have to log that they walked the street and walked the beat where they could and there are no calls. He said that is something that Chief Pero and Chief Tedesco and he have been trying to do because people say they haven't seen an officer or a car. He said good people as a rule don't have the scanners, the bad guys do. He said if they had a scanner, they would know how busy the Police are. He said calls often get backlogged. He said someone might say they had a broken window, the kids ran down the street, and it took the Police two hours to get there. He said that is because they were on other calls and the Lieutenant decides which ones take precedent. He said when they are not busy, they have asked the officers

and Lieutenants that they log so much time walking in their district when it is possible. He said they are trying to do more of that. He said the other thing that Al did not bring up but should have because he was part of making it happen is that they have actually done all of these things with less people. He said he thinks they are down to 59 people and they used to have 65 or 66 people. He said they are down several officers and doing more. He said they are doing preventive things. He said they are going to be more of that in the future. He said one of the things he is going to say is somewhat controversial and he should stop himself from saying it. He said he is going to say it anyway. He said they are going to start tracking the origin of the calls. He said they have a landlord tenant ordinance and there are still a lot of absentee landlords who just don't pay attention to their tenants. He said they are going to start tracking when the police calls go to rental property. He said they are going to have the data and when they get the data, he is going to come to Council because he knows what he wants to do but he doesn't want to talk about it until he gets the numbers.

- Mr. Segina said another interesting statistic he would like to see is when they make an arrest, where the people came from. He said they should know what their origination is.
- Mayor Brewster said that is part of what they are going to do.
- Mr. Segina said that would be interesting because he sees so many who live out of town who are coming into this town and committing the crimes.
- Mayor Brewster said they want to track where the crime occurred, where the suspect lives whether in town or out of town and whether it is a rental or not. He said they already do that in public housing, he has those

numbers. He said in public housing they can take action and can evict. He said there is a myth that every time there is a problem that is rental it is Section 8. He said as a rule, it is not Section 8. He said as a rule, it is rental property that is in under the radar. He said somebody out of town owns 20 houses in town and none of them are Section 8. He said he can name the people, and Council will know some of them. He said they get police calls there literally every day. He said they are going to try to approach this with enough statistics to justify any ordinances that they might implement in 2010. He said he wants to commend the Police Department again. He said it is a thankless job. He said the other thing is that . . . without naming names, because they might be juveniles. . . he thinks there were two or three different groups of juveniles that were arrested for both fires and burglaries.

- Chief Tedesco said that is right.
- Mayor Brewster said then when you see in the paper that the Firemen are out there fighting these fires . . . the firemen actually do a pretty good job because they know what is going on too. He said they get names and they have to go through the process because when they are juveniles, you have to treat them as juveniles. He said he doesn't necessarily subscribe to that but that is what the law says. He said through the help of the Fire Department and first responders and the detectives, they have been able to make several arrests of young people. He said he doesn't want to belabor the point but he thinks there is going to have to be a "come to Jesus" discussion with judges. He said they are going to have to start treating criminals like criminals. He said they are just not mommy's little boy anymore. He said when they are 15 years old and have children and guns; he has a hard time understanding why someone considers them a juvenile. He said someone is going to say he is a

mean-spirited guy. He said no, he is just a realist. He said don't think these young kids don't know. He said when the officers pull a car over and there are 3 sixteen year-olds with a loaded revolver and one in the chamber and no one knows who the gun belongs to. He said the Police take the gun and the car, but the next day they have to give the car back and those three kids become folk heroes in the community. He said then the 12 year-olds say so-and-so got stopped and nothing happened to them. He said that is the problem. He said that is why people are getting killed. He said telling them that there isn't any room to put people in jail is not a good reason to try them as juveniles. He said that is what they are hearing is that they cannot incarcerate because there is no place to put them. He said then they should build another jail. He said that is his solution and at the same time they will create jobs. He said rehabilitation should be in an enclosed environment, not on his streets. He said that is where people want to do it. He said some people might disagree but the fact of the matter is if you want to see people stop being victims of violent crime, they might want to try it his way. He said the current way is not working.

- Ms. Diggs said she told the Mayor before about a house on Sixth Street. She said the young lady was in here and she could not get the water on because the landlord would not pay the water bill. She said she put the Board of Health on the house and the young lady got a chance to move. She said now they moved someone else into the house. She said it is not fit to live in.
- Mayor Brewster said that is what the problem is. He said people grab these houses for a couple thousand dollars. He said in fact the homicide that occurred by her house
- Ms. Diggs said there were two homicides.

- Mayor Brewster said when the first one occurred; he was at Loretta's house because she was having a problem in her neighborhood. He said he personally drove around that house three times and told that individual not to loaf there. He said he always gets a response. He said he told him that he was scaring people and that he could not loaf there. He said he told him to find somewhere to go. He said if that individual had listened to him, he would not have caught that bullet right above his eye. He said the next day at 3:00 that same individual was a victim of homicide. He said he asked him to go somewhere. He said they were not doing anything wrong. He said he told them that they should not be doing this and should go somewhere. He said that doesn't mean that he deserved to have that happen to him that is not what he is saying. He said what he is saying is that it is hard to get people to understand the consequences of the lifestyle. He said no one wants to talk about it.
- Ms. Diggs said when that young man got shot there were 15 young men and women right there. She said it was a wonder that three or four of them did not get killed. She said the guy was right up on him and shot him.
- Mayor Brewster said the kid never had a chance. He said that is what he tried to tell him. He said he told the kid that he needed to understand the environment he was in. He said, of course, the kids know more than he does. He said he did have an opportunity to have a conversation with him and it was not a bad conversation. He said no one was arguing. He said they talked and he talked and that was the end of it. He said he wished they would have been able to prevent that. He said the more they talk about it the better off they will all be. He said it is not working the way anyone is doing it now.

- Mayor Brewster said everyone should have received correspondence from an individual in White Oak about a meeting on January 14 at the School District. He asked if anyone intended on going to that meeting. He said if they do go to the meeting, they should make sure they talk to each other first so they are not making conflicting comments. He said the thrust of the meeting is to talk about having cooperation within the communities and the school district. He said he has had these conversations before. He said he is not opposed to going to the meeting but they should compare notes before they go so they are on the same page. He said it is at Founder's Hall on January 14.
- Mayor Brewster said he met with John Lydon and Sister Georgine Scarpino from Auberle. He said she has a really interesting program and he is passing the information around. He said from the Census Report, she was able to gather data that showed there were about 300 families in McKeesport where there are grandparents taking care of grandchildren. He said what her program does ... it is sponsored by the Sisters of Mercy. He said the program has a support group where they want to reach out to people who are raising their grandchildren. He said they want to meet with these people and have support sessions where they can get together. He said they may have similar problems and issues. He said he thought it was a really neat program and Auberle has been very good at being proactive on these things. He said this is a brochure. He said if anyone knows someone through his or her church or in his or her neighborhood in that situation He said Sister Georgine got the information off the 2008 Census update. He said there are 300 families in McKeesport but she had it for the whole Mon Valley. He said he thought it was a nice program for grandparents who are raising young kids and run into things that are different than when they raised their own kids. He said it is a nice support group. He said if anyone knows someone, let him know and he will contact the Sister and John.

- Mayor Brewster said he has a couple of quick updates. He said they are going to have several ribbon cuttings in the spring within the next two or three months. He said the trail is completed down on Water Street and he just signed the Mylars for the piece from the 15th Street Bridge. He said the Trail Committee is going to complete that down behind Harrison, the levee behind Moran Field, down past Kane and then to the Water Street extension. He said they are going to have a really big ribbon cutting. He said this was a \$500,000 job and it's done. He said as Nick mentioned the lights should be up in the next 60 days for Marshall Drive. He said they surely want to have a ribbon cutting for that event. He said the Social Security building seems to be on schedule and should open in the next three months. He said the owners are actually negotiating to try and get the old Social Security building for additional use. He said he wants to bring Rob Baich to the February meeting and have him go over their new website, which has been upgraded and updated. He said they are starting to get some positive feedback. He said it is not exactly where they want it yet but it is close. He said he is planning on doing the State of the City report at the Heritage Center in February if they can get the data together. He said at that time they will be talking about some of the statistics, both good and bad, and people are going to be pleasantly surprised at what they see. He said he is excited about it from a business development perspective. He said housing sales, crime, and some of the things they have in the pipeline will be discussed. He said, in fact, he will mention one that he has with John Hudson. He said he is a retired Secret Service Agent who is going to put a grant in for cameras. He said he has worked with District Attorney Zappala in Homestead and some of these other communities. He said they are going to try and get some funding for additional cameras that can be used in high crime areas. He said some cameras will be mobile so they can move them around. He said they already have cameras in public housing which have helped solved a number of crimes. He said they don't talk about it. He said they should talk more about it but

can't because of the confidentiality. He said the cameras they installed which he is proud to say happened under his watch, solved a lot of crimes that did not actually occur in public housing. He said the cameras were just that good that they could see beyond the boundaries. He said this will be in addition to that. He said they are going to try and get a \$200,000 grant. He said he wants to thank the District Attorney and Art Keenan from his office for introducing them to John Hudson. He said he has passed around a list of reappointments for different boards. He asked Patty Williams if she had a copy of the list. He asked her to read those names. He said unless Mr. McLaughlin wants to do it differently, he thinks it would be just as easy to get a motion for all of them after they are read unless they want to do them individually. He said is there a problem with doing them all.

- Mr. Elash said if someone wanted to do them individually, they can vote no.
- Mayor Brewster asked Patty to read through the Board and then the names and then they will vote on them.
- Ms. Williams read the following:

Following is a list of appointments to various boards: Civil Service Commission – reappoint Mary Ann Popovich and appoint Jim Miller to fill the vacancy created by the death of Jane Zatek; McKeesport Ambulance Authority – reappoint Edwin Coulter, Walter Chuchla and Ron Oleska; McKeesport Housing Authority – reappoint William Craig; McKeesport Municipal Authority – appoint Dale McCall to fill the expired term of David Demchak; Planning Commission – reappoint Mary Ann Popovich, Harvey Grant, DeNita Francis, Gloria Sabo, Terri Kisan and appoint Margaret O’Keson; and Zoning Hearing Board – reappoint Joseph Como, Dee Connor, Gary Dailey and William Richards.

- MOTION:** Mr. Segina moved, seconded by Mr. Cherepko, "To authorize the appointment and reappointment of the persons to the Authorities as recommended by Mayor Brewster in his memo."

NAYS: NONE..... 0

- Ms. Williams read the Proclamation:

Whereas, after 40 years of continuous service at PNC Bank, the last seven in McKeesport, Larry Davis has announced his plans to retire; and

Whereas, the performance of his duties and responsibilities and his working relationships were always characterized by an obvious dedication to getting the job well done; and

Whereas, his unselfish dedicated service to the citizens of the City of McKeesport have earned for him the

Now, therefore, as Mayor of the City of McKeesport, and on behalf of City Council, I do hereby deem it an honor and privilege to present this Proclamation to Larry Davis and to extend to him our best wishes for many happy and successful years in the future.

- Mayor Brewster said Larry is not here tonight so this is being presented in absentia. He said he also wanted to make another appointment. He said he wanted to appoint Darryl to the MNI Board to take Paul Shelly's place but he needs Council's concurrence on that. He said they always had a Council member on that board and did not write it up because he just saw Darryl and asked him.
- Mr. McLaughlin said Lani Temple talked to him about it.
- Mayor Brewster asked if they want to do it by motion.
- Mr. McLaughlin said yes, he wants to do it by motion. He said he would like a motion to appoint Darryl Segina to the MNI Board.

MOTION: Mr. Tedesco moved, seconded by Mr. Dellapenna, "To appoint Mr. Segina to replace Paul Shelly on the MNI Board."

RC-5 YEAS: DELLAPENNA, CHEREPKO, McLAUGHLIN,
TEDESCO, DIGGS 5

NAYS: NONE..... 0

ABSTAIN: SEGINA 1

COUNCIL REPORTS:

- Mr. Segina said the comment he has is about Dish Network leaving the City of McKeesport. He said it kind of leaves a sour taste in his mouth because he remembers when Joe Bendel worked so hard to get them into this town and gave them ten years of TIF financing to keep them here. He said they did so many things as far as infrastructure with the road and the sewers down there. He said now he thinks EchoStar knew that they were leaving here three years ago and were just waiting for the ten-year TIF program to leave because now they will have to pay the City of McKeesport taxes. He said he thinks they knew three years ago. He said their top employee count down there was around 1,250. He said the last he heard in the paper it was 600. He said he thinks they planned it all along and were downsizing and just keeping enough employees there to keep that operation going until the TIF financing was gone. He said the part that really upsets him is that they burned their bridges too. He said they fabricated some stories about the City that puts the City in sort of a bad light. He said he has been hearing this on KDKA. He said Dish Network said they can't get enough people down there to work. He said he really doesn't think they put an effort in, a complete effort, to get people to work down there. He said first of all they could not keep people in those jobs. He said maybe they should have been questioning their management techniques and why so many people were leaving instead of attempting to close the place up is. He said EchoStar then concocted a story that half of the applicants from McKeesport did not pass the drug test and could not be hired. He said they don't have 50% of McKeesporters working on that work force down there. He said he is insulted that they would even bring out a story like that to make the City look so bad after all the things the City

did for them. He said they bent over with their County, Federal and State dollars to keep them open and get them into the City. He said they chose McKeesport out of 40 other cities. He said then to come up with this kind of story that demeans the City is absurd. He said he is really insulted that they would even think about saying these things about the City. He said then again, some of these corporations have their own agendas and take advantage of those dollars that are given to them. He said EchoStar used taxpayer dollars and each one of them paid for EchoStar to be down there. He said now they slam the City as they are pulling out of the gate. He said he doesn't like what they did. He said he regrets the day he got Dish Network on his TV. He said he did.

- Mayor Brewster said he received the final documentation this week from EchoStar because they are required by law to notify him of all the positions. He said they do that through their attorneys. He said they have officially notified them that the plant shut down will be in March. He said he thinks it is March 5. He said he will concur with Darryl.
- Mr. Segina said they did that last year too.
- Mayor Brewster said they did it with the first wave. He said this is the final wave of people leaving.
- Mr. Segina said they closed up but under his direction they stayed for an extra year. He somehow he kept them here another year.
- Mayor Brewster said they have been negotiating with them for the past year to try and rework their lease on the mill site. He said they asked him to facilitate that with RIDC and he did that. He said the bottom line is RIDC is an organization that has been very helpful to the City and they can't expect them to incur costs. He said the price tag was about \$200,000 to do some retrofitting of the building and Dish did not want to pay for it. He said RIDC said EchoStar wanted them to do a

lot of work and reduce the lease amount at the same time. He said it just didn't work out. He said he was President of Council when they brought them in and Joe Bendel was Mayor. He said they spent a lot of time with them and courted them. He said they had 40 other cities where they could have gone. He said at the time it was the right thing to do. He said he would agree with Darryl and he was on the Marty Griffin Show and took exception to the comment about what was going on with regard to hiring. He said he doesn't think anyone is even allowed to talk about that because it is a personnel issue. He said he doesn't think they cannot go around saying that they did not hire someone because he did not pass the drug test. He said there was a lot of speculative finger pointing. He said he takes a little different approach to it. He said his responsibility with the help of the County, RIDC and the Governor, they will put someone else in there and they will provide jobs. He said they will rise to the challenge and get it done. He said that is what makes McKeesport different. He said he wishes they did not have to go through that. He said they were looking for other tenants down there even before Dish said they were leaving. He said they are not sitting there waiting for something bad to happen. He said he is very optimistic. He said these corporations go around the country and first identify states that have programs. He said someone out there is going to say don't give them all this money. He said they can say that but the facts are that it is very competitive and the companies know it. He said they decide first which state to go to, then they go to the counties within that state that have better programs. He said then they go to the communities that have the brightest leadership and the biggest workforce. He said it is all marketing. He said they can't just pick a product and say come here they want them. He said if you look at what goes on in the banking business or other corporation, he did not like it when one of the larger banks sent 600 jobs to the Middle East. He said he took his money out of that bank. He said they can do those kinds of things but it is not going to change anything. He said the fact is that they have to learn

to take care of home. He said if a company comes here, they have to have jobs and will need people to fill the jobs. He said if they open up they have to patronize them. He said they can't run to the nearest shopping center. He said they do it to themselves. He said they have to discipline themselves that caring starts at home. He said he doesn't know how to get that across to people.

- Mr. Segina said the Mayor has to be diplomatic about this. He said he does not however because he doesn't have any future agenda and can say whatever he wants to say. He said he is a little upset because they say that 50% of all applicants were on drugs whether they came from McKeesport or from out of town, but they were inferring it was from McKeesport. He said if the Mayor is trying to get some other company to come to the City and that word gets out, that they have druggies in town, that doesn't help McKeesport in luring any new companies in here.
- Mayor Brewster said that is true. He said but wherever that came from there is nothing in writing to show what they said unless they didn't say it. He said he will tell them that the companies he is talking to . . . he is not saying that might not be in the back of their head, but that is not what is on the table.
- Mr. Segina said they said
- Mayor Brewster said they may have said that but he is not sure anybody is paying much attention to them. He said he doesn't know how else to say it without being rude.
- Mr. Segina said he just wishes after taking all the money from them and all the work they did for them, the least they could do was go quietly. He said it was EchoStar's fault that they are moving out of the City, not the City's. He said thank you for the time. He said he understands Mr. McLaughlin has a milestone coming up so he wishes him happy birthday next week.

- Mr. McLaughlin said everyone thinks January 15 is Martin Luther King Day and actually he was born before Martin Luther King on January 15.
- Ms. Diggs said she wants to thank the Police Department because they have been very visible around her place since these two unfortunate murders. She said she doesn't see anyone on the street anymore. She said it did not matter how cold it was or if it was raining, there were 8, 9, 10, or more people on the corner. She said thank you to the Police Department.
- Mr. Tedesco said since this was his first regular Wednesday meeting, he wanted to say how proud he is to serve the City of McKeesport on Council. He said he is honored that the voters selected him the first time he ran. He said he also congratulates Darryl and Fawn. He said he is looking forward to working with each and every one of them.
- Mr. Dellapenna said he would like to commend the Fire Department for doing such a great job the last couple of weeks. He said they have been quite busy in terrible weather. He said he has fought many fires in that weather and he knows what happens. He said he would like to commend them. He said there is always a fire truck going by so he follows the truck to see what is happening. He said he would also like to commend the Police. He said they are all very visual and he hopes that throughout the year they continue to be visible.
- Mr. Cherepko said he wanted to commend the Administration and the Fire Department for reaching an agreement. He said he personally believes they are the best around. He said hopefully that agreement is passed tonight. He said he feels the agreement is fair for both sides. He said people often overlook that it is not an easy task when it comes down to reaching a bargaining agreement and how much time goes into it. He said he wanted to commend both of them. He said speaking of the Fire Department and the Police

Department, they often take it for granted in the City that when there is an emergency, they have the best around that will come and answer that call. He said it is something not all communities do have. He said he is personally thankful for that. He said as he looks at the list of the appointments that were made this evening and it is something they take for granted. He said they have people of such quality in this City who will take their own time to volunteer on these boards. He said it is absolutely remarkable. He said he wanted to personally thank each and every one of them for the times they put forth to help the City move forward.

- Mr. McLaughlin said he is always last and everything he wanted to say has already been said. He said he applauds them and welcomes Mr. Tedesco and Ms. Walker and Darryl back. He said he thinks the Mayor and Administration will fill the void in the millsite, somehow or someday with the help of a strong Council.

CITIZENS IN THE AUDIENCE:

There were no citizens who wished to speak.

TABLED BILLS:

BILL #160: A RESOLUTION FO THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ALLEGHENY FOR THE REHABILITATION OF THE MANSFIELD BRIDGE.

The Bill will remain on the Table.

NEW BUSINESS:

ORDINANCE #10-1 – BILL #4: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE FIREFIGHTER’S PENSION PLAN TO CORRECT ERRORS IN SAID LANGUAGE AND TO BRING SAID PLAN INTO CONFORMITY WITH THE CURREN COLLECTIVE BARGAINING AGREEMENT.

MOTION: Mr. Dellapenna moved, seconded by Mr. Segina, “To adopt Bill #4.”

RC-6 YEAS: DELLAPENNA, CHEREPKO, McLAUGHLIN,
SEGINA, TEDESCO, DIGGS..... 6

NAYS: NONE..... 0

ORDINANCE #10-2 – BILL #5: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHNEY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER CITY OFFICERS TO ENTER INTO A CONTRACT WITH THE McKEESPORT FIREFIGHTERS LOCAL 10, REPRESENTING THE FIREMEN OF THE CITY OF McKEESPORT, SETTING FORTH THE TERMS AND CONDITIONS OF THEIR EMPLOYMENT, INCLUDING COMPENSATION, HOURS, WORKING CONDITIONS AND OTHER BENEFITS FOR A PERIOD OF FIVE YEARS, COMMENCING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2014.

MOTION: Mr. Segina moved, seconded by Mr. Dellapenna, “To adopt Bill #5.”

RC-7 YEAS: DELLAPENNA, CHEREPKO, McLAUGHLIN,
SEGINA, TEDESCO, DIGGS..... 6

NAYS: NONE..... 0

ORDINANCE #10-3 – BILL #6: AN ORDINANCE OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA,

MOTION: Mr. Segina moved, seconded by Mr. Tedesco,
"To adopt Bill #6."

RESOLUTION #2010-4 – BILL #7: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, REJECTING ALL BIDS RECEIVED FOR ANIMAL CONTROL AND DIRECTING THE CITY CLERK TO RE-ADVERTISE FOR ANIMAL CONTROL SERVICES.

- A person in the audience said excuse me is there any reason why they did not accept the bids.
- Mr. McLaughlin said he is out of order.

MOTION: Mr. Segina moved, seconded by Mr. Tedesco,
"To adopt Bill #7."

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| RC-9 | YEAS: | DELLAPENNA, CHEREPKO, McLAUGHLIN, SEGINA, TEDESCO, DIGGS..... | 6 |
| | NAYS: | NONE..... | 0 |

MOTION: Mr. Segina moved, seconded by Mr. Dellapenna, "To adopt Bill #8."

NAYS: NONE..... 0

- RESOLUTION #2010-6 – BILL #9: A RESOLUTION OF THE CITY OF McKEESPORT, ALLEGHENY COUNTY, PENNSYLVANIA, DESIGNATING SENATE ENGINEERING COMPANY AS CITY ENGINEER.**

MOTION: Mr. Segina moved, seconded by Mr. Dellapenna, "To adopt Bill #9."

NAYS: NONE..... 0

MOTION: Mr. Cherepko moved, seconded by Mr. McLaughlin, "To adopt Bill #10."

CONTROLLER'S REPORT:

- Mr. Malinchak said with respect to future businesses that they might want to consider for the site that is being vacated; he got a call this morning and someone told him there were a lot of advertisements in one of the local papers by three drilling companies that were recruiting a lot of people. He said they were Marcellus Shale companies. He said there may be some name in there that the Mayor is familiar with but he did not look at the papers himself. He said maybe the Mayor could take a look at it. He said the person told him the one ad was a half page ad. He said since they are going to use the sewage facility for their water and they would have the river, it might be a good fit.
- Mayor Brewster said before he came in Ray Daugherty said he had an email from a company saying that they were moving into the area and were familiar with McKeesport and they need employees. He said they wanted him to make referrals. He said those are nice emails to get.

- Mr. Malinchak said this may be . . . he said he did not read the paper yet but picked one up to read it. He said he would like to recommend that Council approve payment of the bills in the amount of \$29,844.80.
- Mayor Brewster said before Mr. McLaughlin asks for a motion, he would like to take a second and thank Mr. Pittman. He said at the end of the year and he was waiting to see if Ray had him buried. He said he thinks they ended pretty well in 2009. He said the amount of carryover was less than they budgeted. He said some of the outstanding bills were covered by revenues they know are secured and on their way. He said in the interest of not upsetting his colleague, Mr. Segina, they were able to keep \$500,000 in the reserve without spending it. He said they worked hard to get it there and it was great they did not have to spend it. He said he wanted to thank Dennis because they only get to see him in this meeting but Dennis gets to see him every day and that is not pleasant. He said they do it by design and they philosophically disagree over a lot of things but at the end of the day, six years later they are still standing. He said as Darryl pointed out on Monday, they get knocked down and get back up. He said he doesn't spend much time looking backwards; they are going to keep looking forward. He said they have all been a big part of that. He said he knows they scratch their heads and wonder what the hell he is thinking now. He said he wished they could give Council more information but they are moving at warp speed and it is very competitive. He said when they are on the news for something negative, he has to go out there, do something, and counter that. He said he can't just sit there and wonder how it happened. He said he just goes and does something positive to continue to be competitive. He said he wants to thank Dennis because he is the one who generally feels his wrath when days don't go well. He said don't get him wrong, Dennis deserves it most of the time. He said for those times he may have gone overboard, he just fell short of apologizing. He said that is what he gets paid for. He said Dennis is an

expert in the field and has been doing this a long time. He said Dennis is supposed to help them get through these tough times.

- Mr. Segina said that is good news that they are going to end up pretty good. He said that does take all the fun out of the potential controversy though. He said he is surprised Mr. Malinchak is so quiet.
- Mr. Malinchak said he already beat up on Dennis in the hallways so he just wanted to be a little fairer to him. He said it is his New Year's resolution. He said he doesn't want to pick on him anymore. He said one thing he did mention was that they have approximately how many invoices on December 31 that he did not pay.
- Mr. Pittman said he has them listed here, he gave the list to Ray, and the Mayor and he wanted Ray to share it with Council.
- Mr. Malinchak said what was the approximate total amount.
- Mr. Pittman said the amount was \$369,059.00 that he did not pay.
- Mr. Malinchak said on the other side of the ledger he had \$500,000.
- Mr. Pittman said they had \$500,000 in their reserve but they had accrued revenues which he has documented that they are in the mail from the Governor or whomever totaling \$330,500.00. He said the shortfall is \$38,559. He said what they have in receivables and what he knows they have in payables as of December 31.
- Mr. Malinchak said they also have a restricted \$500,000.
- Mr. Pittman said that is correct.
- Mr. Malinchak said his question is that Mr. Pittman did not use these anticipated revenues coming in here that amount to

\$330,500. He said he is assuming they did not use them as revenues for 2010.

- Mr. Pittman said no, he did not. He said they still do not have them as of today. He said what they have done in fairness is if the garbage bill and workman's comp is in the bills to be paid, they have used the Tax Anticipation money to meet the obligations on the left side but are still waiting for the other. He said the other is confirmed money, not speculative money. He said it will get here at some point.
- Mr. Malinchak said to go back to how they got there, they did liquidate assets twelve months ago. He said was it \$2.8 million.
- Mayor Brewster said no, recently it was only \$600,000.
- Mr. Malinchak said no the one before that.
- Mayor Brewster said \$2.7 million.
- Mr. Malinchak said they actually had a fee that they were able to get that added to their income. He said keep in mind that the reason why they are \$38,600 short is because they did liquidate assets thirteen months ago of close to \$3 million. He said that did not happen a month ago.
- Mayor Brewster said that is correct and to Ray's point, revenues did not match expenses. He said he did not want anyone to get the idea that there is enough money to pay the bills. He said they were very creative and did a lot of things to position McKeesport for the future, which should have been done a long time ago. He said in doing that they were able to get some one-time sales. He said this is a typical banking exercise, but they eventually run out of things to sell. He said he apologizes because there is a motion to pay the bills. He said they are working on this Marcellus Shale thing and Ray is a big part of that. He said Ray has a lot of expertise and they had the initial meeting and Ray's expertise was important. He said that will be a big part of their future with regard to

creating new revenue streams. He said as Mr. Segina points out, they need to lobby Harrisburg because sooner or later the State will have to start sharing some of the gaming money or the Marcellus Shale. He said it has to start going toward revenue sharing at some point in time. He said he plans on lobbying through the Pennsylvania League of Cities or the League of Municipalities because it is time that all the small communities of Pennsylvania stand up and say wait a minute. He said the state can't give everything to Pittsburgh and Philadelphia. He said they have to start bailing some of these cities out. He said they bailed out GM and Banks but they still have communities in Act 47 and that is unconscionable. He said they don't seem to realize if they want the 2,200 communities in the State to make sure they are all whole, their employees are getting paid a fair wage, and then service levels will go up and people will want to stay in the state and things will get better. He said no one has figured that out yet. He said they are bailing things out from the top down. He said he doesn't subscribe to that.

- Mr. Segina said he wants to add to that. He said Pittsburgh is going to the State now because they need help on their pension obligations where the City of McKeesport they bit the bullet and got a bond issued that took care of that. He said he would like to clarify one thing. He said they are going to end up with a \$38,000 deficit. He said that is amazing because it is their best ending since the year 2000. He said he commends the Mayor for that as much as it hurts him to say that. He said he was worried about that \$500,000 dissipating this year to pay off the past debts. He said it is great news that the \$500,000 is still going to be there through the end of 2010.
- Mr. Malinchak said they can look at the statement here that 13 months ago they liquidating close to \$3 million worth of assets. He said to follow through with that statement but to be more accurate they only used \$2.5 million of that and that is why they have the \$500,000 left.

- Mr. Segina said he was not in favor of doing that even though he voted for it. He said it was one of the best things they probably did because now they are stable. He said with all the conditions that are facing them, they are in a stable condition and hopefully they can keep this momentum going through 2010 and beyond.
- Mr. Malinchak said from what he can envision right now, the \$500,000 will give them a relatively good cushion for 2010.
- Mr. Segina said it is a challenge to the Mayor to add to that \$500,000. He said they can put money into that to build up their reserves.
- Mr. McLaughlin said he doesn't think it is just a challenge to the Mayor but a challenge to the Mayor and all of Council to go out and try to help.
- Mayor Brewster said they have and they have built that reserve. He said what happens is they have a tendency to say should I put it in the reserve or should I go pave streets that desperately need it or tear down another houses. He said what they will try to do is concurrently get other sources of money to do demolition. He said they can't just sit here and let these houses go. He said they have done well but people will get hurt and will lose insurance. He said it is a big deal and thanks to Mr. Scaife and some of the stimulus money, they still have \$100,000 in stimulus money for demolition. He said they are finishing up the Scaife money, which has really helped to the tune of \$250,000. He said they are going out and interacting with other individuals. He said they do that on a daily basis that doesn't necessarily fill a pothole or stop the shooting but has to be done every day while they are plowing the snow and picking up garbage. He said they just don't have a lot of people to do it, so Council's help is appreciated. He said they have the Marcellus Shale thing and he hopes it is something in the future they can put in the reserve and do more of the service related things they

want to do. He said they are at the cusp right now. He said in 2009 they got hit with MMO payments out of nowhere.

- Mr. Malinchak said it is only 5% of the budget and they don't have that kind of cushion.
- Mayor Brewster said they are required by law to pay it.
- Mr. Malinchak said if they want to go back, they should go back six years when the Mayor first took over and look at how much one-time income they had including the recent \$600,000 they just mentioned. He said he believes they have added about \$6.5 million or at least \$5.5 million. He said that is not going to happen again. He said they have \$500,000 of that \$5.5 million left to make it in the year 2010. He said he doesn't know where they can go on one time income.
- Mayor Brewster said don't go on vacation very long, Ray because he will sell the property next to his house.
- Mr. Segina said one thing they have to keep in mind too is that through all the different challenges that have faced this Mayor and Council is that no taxes were raised. He said the only thing that was raised were the sewage rates which was out of their hands because of Act 537.
- Mr. McLaughlin said remember also that with the Municipal Authority buying the delinquent sewage bills, it paid the MMOs.
- Mr. Malinchak said that was a good move and the City would be in deep trouble if that did not happen.
- Mr. McLaughlin said not only that, how about the interceptors and the lines.
- Mr. Malinchak said that is how he got up to the \$5.5 million. He said the big challenge right now is what they can do next if anything.
- Mayor Brewster said he will let him know.

RC-13 YEAS: DELLAPENNA, CHEREPKO, McLAUGHLIN,
SEGINA, TEDESCO, DIGGS..... 6

NAYS: NONE..... 0

- Mr. Elash said he needs to make a public disclosure regarding a federal program. He said the disclosure is required by federal law. He said Ms. Debbie Budd, the mother of the City's CD Director, has applied to participate in the federally funded Homes Prevention Program, which is being administered by the City. He said that program requires that relatives of people in the City must be disclosed at the public meeting. He said he would like to make that part of the public record. He said the other thing he would like to correct is one of the statements the Mayor made. He said he believes that the Mayor and Council understand that the projected revenues do match the projected expenses in this year's budget.
- Mayor Brewster said an attorney would have to say that.

President of Council Regis McLaughlin adjourned the meeting at 8:15 p.m.

APPROVED:

Regis T. McLaughlin
Council President

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